

**AGENDA SUMMARY PAGE**  
**RECOMMENDING COMMITTEE MEETING OF: JUNE 16, 2009**

**DEPARTMENT: CITY ATTORNEY**

**DIRECTOR: BRADFORD R. JERBIC**

☐ Consent ☒ Discussion

**SUBJECT:**

Bill No. 2009-22 – ABEYANCE ITEM - Updates the business licensing provisions of the Municipal Code by adding certain administrative and service-related fees, and adjusting various license fees and license origination charges. Sponsored by: Councilman David W. Steinman

**Fiscal Impact**

☒

**No Impact**

☐

**Augmentation Required**

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**Budget Funds Available**

**Amount:**

**Funding Source:**

**Dept./Division:**

**PURPOSE/BACKGROUND:**

This bill will update the business licensing provisions of the Municipal Code by adding certain administrative and service-related fees, and adjusting various license fees and license origination charges. The bill is proposed to go into effect on July 1, 2009. Comments from affected business groups have been solicited and considered. This item was held in Abeyance

**RECOMMENDATION:**

ABEYANCE to 6/16/2009 Recommending Committee meeting by the 6/2/2009 Recommending Committee for review, hearing and recommendation to the City Council for final action.

**BACKUP DOCUMENTATION:**

1. Bill No. 2009-22
2. Business Impact Statement
3. Submitted at meeting – Bill No. 2009-22 First Amendment by Staff

Motion made by STEVEN D. ROSS to send to the Full Council with a recommendation of Do Not Pass

Failed For: 1; Against: 1; Abstain: 0; Did Not Vote: 0; Excused: 0

STEVEN D. ROSS; (Against-DAVID W. STEINMAN); (Abstain-None); (Did Not Vote-None); (Excused-None)

NOTE: This bill will be forwarded to the City Council with No Recommendation as the motion to Forward to the Council with a Do Not Pass Recommendation failed with COUNCILMAN ROSS voting yes and COUNCILMAN STEINMAN voting no.

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## Minutes:

MARK VINCENT, Director of Finance and Business Services, gave a brief history of this item. He explained that this bill was in response to a recommendation made in the Fundamental Service Review which had been approved by the City Council as part of the City's efforts to reduce costs and enhance revenue. This bill proposed increasing several fees had remained flat for almost 30 years and attaching a fee to re-inspections. Additionally, this bill would simplify the gross fee revenue structure. MR. VINCENT acknowledged that the economic outlook has worsened for both the City and the community and recognized the difficulty in raising fees at this time.

JIM DiFIORE, Manager of Business Services, stated that staff had met with industry members on several occasions and presented a First Amendment in response to the comments received. He noted and explained the amendments on Pages 2, 4, 8 and 13.

CAROLE VILARDO, Nevada Taxpayer's Association, 2303 East Sahara Avenue, thanked MR. DiFIORE and MR. VINCENT for providing all the information she requested. She expressed concern with the proposed administrative fees. She stated the \$180 re-inspection fee was exorbitant and suggested the re-inspection fee be based on the wages of the personnel performing the re-inspection. She also stated that the 25 percent late penalty fee was excessive in the current economic environment and noted the existing 15 percent penalty was substantial. She suggested that businesses that are habitually delinquent in paying their fees have a specific penalty process.

KIPP COOPER, Greater Las Vegas Association of Realtors, 1750 East Sahara Avenue, concurred with MS. VILARDO'S statements and suggested the timeline for assessing the late fee penalty be increased to 30 days. Also, he suggested that licenses, particularly non-privileged licenses, be considered expired after 60 days.

COUNCILMAN ROSS thanked staff for their hard work on this bill and their efforts to work with the industry. He asked the audience to indicate by show of hands who had attended the meetings with staff and a majority of the attendees indicated that they had done so. While he stated that taxpayers should not carry the burden of the businesses and industries in the City, he could not support this bill in the current economic climate. He noted the City's responsibility to encourage businesses to locate within its jurisdiction and suggested that staff work more closely with the industry to gain more support for this bill.

COUNCILMAN STEINMAN observed that several fees have not been raised for almost 30 years, but acknowledged the challenge in bringing this bill forward given the current economic challenges. MR. DiFIORE explained that this bill had been prepared over a year ago, but was not brought forward until after the Fundamental Service Review. The bill's effective date of July 1, 2009, had not been changed because the industry had been given ample notice. He pointed out that this bill pertained to service-related costs and the effective date could be changed. He also noted that the City Council has given temporary approval to the 90-day administrative licensing process. MR. VINCENT added that the administrative approval licensing process was an effort to streamline the business license approval process and help businesses open more quickly.

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COUNCILMAN ROSS suggested striking the bill from the agenda or holding it in abeyance to allow staff to address remaining issues. CHIEF DEPUTY CITY ATTORNEY STEED suggested forwarding the bill to the Council to allow the full Council to consider the bill as it currently exists.

